



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/275,887	03/25/1999	JOSEPH ROBERT OFFUTT JR.	07099.0980	1353

22852 7590 11/19/2003

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

EXAMINER

MORGAN, ROBERT W

ART UNIT	PAPER NUMBER
----------	--------------

3626

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/275,887

Applicant(s)

OFFUTT ET AL.

Examiner

Robert W. Morgan

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8,10-19,21-30 and 32-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8,10-19,21-30 and 32-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/25/03 has been entered.

Response to Amendment

2. In the Preliminary Amendment filed 8/25/03 in paper number 28, the following has occurred: Claims 1, 10, 12, 21, 23, 32, 33, 36, 44, 49 and 50 have been amended. Now claims 1-8, 10-19, 21-30 and 32-51 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 12, 13, 23, 24, 35, 36, 43-45, 48 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,862,357 to Ahlstrom et al. in view of U.S. Patent No. 5,331,546 to Webber et al.

As per claims 1 and 43, Ahlstrom teaches the use of a computer reservation system with means to rank travel itineraries by sorting and scoring the data with regard to a predetermined travel policy (see column 1, lines 35-39). The user inputs a starting location and a destination

Art Unit: 3626

(see: column 2, line 25). The local computer then connects to the remote computer system that accesses flight scheduling information, fare information, and limitation information stored in a remote computer system database that ranks, sorts, and displays the itinerary information on the local computer (see column 2, lines 28-36). Once the itinerary information is sorted and displayed in accordance with the travel policy information the sorted information (i.e., the report) is displayed for the user and can then be printed. The sorted itinerary information includes the comparison and results of other possible travel itineraries to determining the optimum itinerary, inherently calculating the saving involved with each comparison (see column 2, lines 32-38). Alternative itineraries are evaluated during the data processing where intermediate travel stops and alternative city pairings are evaluated to determine the optimum itinerary (see column 2, line 66 to column 3, line 15).

Ahlstrom fails to explicitly teach the claimed analyzing step including identifying at least one alternative itinerary including an alternative originating location or destination that is different than the originating location or destination included in the request.

Webber et al. teaches a travel planner system where a travel arranger requests a flight from New York City (NYC) airport to Los Angeles International Airport (LAX) departing no earlier than 8 a.m. and no later than 10 a.m. and arriving no later 3 a.m. (see: column 17, line 38 to column 19, line 47). There are 6 flights displayed to the travel arranger that include departure from two different airports according to price, date and time (see: column 19, lines 33-44 and table).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include the travel planner system including at least one alternative originating

Art Unit: 3626

location as taught by Webber et al. within the computer reservation system as taught by Ahlstrom et al. with the motivation of providing a traveler with the options of departing from different locations according to the prices offered.

Claims 12, 23, 35, and 36 are substantially similar and parallel the limitations found in amended claim 1 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

As per claim 2, Ahlstrom teaches a computer system where the reported result of the user query lists the optimum itinerary as well as alternative itineraries. The flight information retrieved from the database is analyzed in accordance with the travel policy stored within the computer system (see column 3, lines 35-37). A scored and sorted display of each of the alternative flight itineraries is presented (see column 10, lines 25-27). Ahlstrom teaches that the scored and sorted flight alternatives can be displayed for flight selection or auditing purposes (see column 10, lines 38-40). Ahlstrom further teaches that the value of the traveler's time is used to multiply the difference between the specified itinerary score and the scores of the alternative itineraries to arrive at a readjusted ranking (see column 10, line 67 through column 11, line 28). In this manner, Ahlstrom displays the difference between the value for the specified and alternative travel itineraries, inherently considering the saving of each travel plan to determine the optimum itinerary.

Claims 13 and 24 are substantially similar and parallel the limitations found in claim 2 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

As per claim 44, Ahlstrom teaches a method for providing travel alternatives, comprising:

Art Unit: 3626

--the claimed receiving from a user, a request including a travel itinerary including an origination location, a destination location, and first value associated with itinerary is met by the user inputting starting location and final destination information and the local computer is connected to a remote computer system that accesses flight scheduling information and fare information (see: column 2, lines 22-36); and

--the claimed providing a report including a indication of the first value, the alternate value for each alternate itinerary, and a saving value for each alternate itinerary reflecting a difference between the first value and the respective alternate value is met by the itinerary information once sorted and displayed in accordance with the travel policy information, (i.e., the report) the sorted information is displayed for the user and can then be printed. This sorted itinerary information includes the comparison and results of other possible travel itineraries to determining the optimum itinerary, inherently calculating the saving involved with each comparison (see: column 2, lines 32-38).

Ahlstrom further teaches alternative itineraries being evaluated during the data processing where intermediate travel stops and alternative city pairings are evaluated to determine the optimum itinerary with only the initial inputs from the user in order to gather travel information (see: column 2, line 66 to column 3, line 15).

Ahlstrom fail to teach the claimed determining, without user intervention, a set of alternate itineraries, at least one alternate itinerary being associated with an alternate value and a route between an alternate originating location or alternate destination location, and either the origination or destination location included in the request.

Art Unit: 3626

Webber et al. teaches a travel planner system where a travel arranger requests a flight from New York City (NYC) airport to Los Angeles International Airport (LAX) departing no earlier than 8 a.m. and no later than 10 a.m. and arriving no later 3 a.m. (see: column 17, line 38 to column 19, line 47). There are 6 flights displayed to the travel arranger that include departure from two different airports according to price, date and time (see: column 19, lines 33-44 and table).

The obviousness of including the teaching of Webber et al. within the system taught by Ahlstrom are discussed in the rejection of claim 1, and incorporated herein.

As per claim 45, Ahlstrom teaches the claimed first value reflects a cost of travel between the origination and destination locations. This feature is met by the user inputting starting location and final destination information and the local computer is connected to a remote computer system that accesses flight scheduling information and fare information (see: column 2, lines 22-36).

As per claim 48, Ahlstrom teaches the claimed alternate value is equal to or less than the first value. This feature is met by the alternate itineraries, which includes possible schedule and fare values to satisfy the user requests, are evaluated during the data processing to determine the optimum itinerary (see: column 2, lines 66 to column 3, lines 15).

As per claim 50, Ahlstrom teaches a method for providing travel alternatives, comprising:

--the claimed receiving from a user, a request including a travel itinerary including a travel route between an origination location and a destination location is met by the user inputting starting location and final destination information and the local computer is connected

Art Unit: 3626

to a remote computer system that accesses flight scheduling information and fare information (see: column 2, lines 22-36); and

--the claimed providing a report to the user such that the user may visually inspect a map including a graphical representation of the route between the origination and destination locations and the alternate routes, and a travel cost for each corresponding route is met by the itinerary information once sorted and displayed in accordance with the travel policy information, (i.e., the report) the sorted information is displayed for the user and can then be printed. This sorted itinerary information includes the comparison and results of other possible travel itineraries to determining the optimum itinerary, inherently calculating the saving involved with each comparison (see column 2, lines 32-38).

Ahlstrom further teaches alternative itineraries being evaluated during the data processing where intermediate travel stops and alternative city pairings are evaluated to determine the optimum itinerary with only the initial inputs from the user in order to gather travel information (see: column 2, line 66 to column 3, line 15).

Ahlstrom fail to teach the claimed determining without user intervention, a set of alternate itineraries, at least one alternative itinerary including an alternate route between an alternate origination location or alternative destination location, and either the origination or destination location included in the request.

Webber et al. teaches a travel planner system where a travel arranger requests a flight from New York City (NYC) airport to Los Angeles International Airport (LAX) departing no earlier than 8 a.m. and no later than 10 a.m. and arriving no later 3 a.m. (see: column 17, line 38 to column 19, line 47). There are 6 flights displayed to the travel arranger that include departure

Art Unit: 3626

from two different airports according to price, date and time (see: column 19, lines 33-44 and table).

The obviousness of including the teaching of Webber et al. within the system taught by Ahlstrom are discussed in the rejection of claim 1, and incorporated herein.

4. Claims 3-8, 10, 14-19, 21, 25-30, 32, 46-47, 49 and 51 are rejected under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent 4,862,357 to Ahlstrom et al. in view of U.S. Patent No. 5,331,546 to Webber et al. as applied to claim 1 above, and further in view of U.S. Patent 5,948,040 to DeLorme et al.

As per claim 10, Ahlstrom teaches at the heart of his reservation system is the sorting and scoring of travel itineraries in accordance with a predetermined travel policy stored in the computer (see column 1, lines 34-38). Accordingly, predetermined travel packages that include travel between the originating location and the destination would be found using the sorting and scoring method of Ahlstrom. Ahlstrom teaches the use of a computer reservation system with means to rank travel itineraries by sorting and scoring the data with regard to a predetermined travel policy (see column 1, lines 35-39). The user inputs a starting location and a destination (see column 2, line 25). The local computer then connects to the remote computer system that accesses flight scheduling information, fare information, and limitation information stored in a remote computer system database that ranks, sorts, and displays the itinerary information on the local computer (see column 2, lines 28-36). Once the itinerary information is sorted and displayed in accordance with the travel policy information the sorted information (i.e., the report) is displayed for the user and can then be printed (see column 2, lines 32-38). Alternative itineraries are evaluated during the data processing where intermediate travel stops and

Art Unit: 3626

alternative city pairings are evaluated to determine the optimum itinerary (see column 2, line 66 to column 3, line 15).

Ahlstrom fails to explicitly teach the claimed analyzing step including identifying at least one alternative itinerary including an alternative originating location or destination that is different than the originating location or destination included in the request.

Webber et al. teaches a travel planner system where a travel arranger requests a flight from New York City (NYC) airport to Los Angeles International Airport (LAX) departing no earlier than 8 a.m. and no later than 10 a.m. and arriving no later 3 a.m. (see: column 17, line 38 to column 19, line 47). There are 6 flight displayed to the travel arranger that include departure from two different airports according to price, date and time (see: column 19, lines 33-44 and table).

The obviousness of including the teaching of Webber et al. within the system taught by Ahlstrom are discussed in the rejection of claim 1, and incorporated herein.

While Ahlstrom and Webber et al. does not explicitly teach that travel packages are pre-configured packages based on prior negotiations with travel resource providers, DeLorme teaches that hotel chains, state tourism bureaus, and local chambers of commerce could publish travel package embodiments for planning trips, printing maps, discount offers, trip directions and other such information about a limited range of attractions, events or seasonal activities (see column 13, lines 48-67). One skilled in the art would be motivated to offer packaged discounts to appeal and market to recreational travelers that do not require a specific destination (such as to conduct business) but rather are planning a vacation and deciding upon a destination from a variety of locales. In this manner, potential travelers may select from a variety of venues based

Art Unit: 3626

upon price and travel accommodations. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to utilize the package discount feature of DeLorme in the system of Ahlstrom and Webber et al. As such, claim 10 is rejected.

Claims 21 and 32 are substantially similar and parallel the limitations found in claim 10 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

As per claims 3 and 5, Ahlstrom and Webber et al. teach the use of city pairs that are used to specify origin and destination points. Ahlstrom and Webber et al. further teach that multiple cities and airports may be considered when forming the alternative itineraries, based upon the travelers' preferences (see: Ahlstrom: column 11, lines 29-43).

Ahlstrom and Webber et al. does not explicitly teach that users specify an acceptable range for alternative itineraries.

However, DeLorme discloses the use of geographical ranges with coordinates with which to evaluate alternative travel routes and itineraries (see: column 57, starting at line 1 and further in Figure 7A). The routes taught by DeLorme include different and various routes and accommodations in accordance with user preferences and sorting criteria. One skilled in the art would be motivated to have users specify a range of locations with which to evaluate travel itineraries in an effort to reach an optimum itinerary with respect to price, time required, suitability of accommodations, and other concerns of a traveler. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to incorporate the geographical range of locations taught by DeLorme in the system of Ahlstrom and Webber et al. As such, claims 3 and 5 are rejected.

Art Unit: 3626

Claims 14 and 25 are substantially similar and parallel the limitations found in claim 3 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

Claims 16 and 27 are substantially similar and parallel the limitations found in claim 5 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

As per claim 4, DeLorme further teaches that the geographical relations are coupled with "topical relations" and are used to locate alternate lodging choices based upon user preferences and rules-based data sorting (see column 56, starting at line 15 and further in Figures 2, 4, and 7). Therefore, claim 4 is rejected.

Claims 15 and 26 are substantially similar and parallel the limitations found in claim 4 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

With regard to claim 6, Ahlstrom and Webber et al. (see: Ahlstrom: column 3, lines 35-37 and column 10, lines 25-27) and DeLorme (see column 57, starting at line 1 and further in Figure 7A) teach that the sorting (i.e., analyzing) step generates a list of alternate locations from which to base the user's travel itinerary. DeLorme further teaches that the list of alternate locations is generated by sorting the geographic relations by latitude and longitude (see Figure 7A). It would have been obvious to one skilled in the art, at the time the invention was made to use a database comprising geographical coordinates to be used as the sorting criteria for generation of proximate locations for alternative itineraries. As such, claim 6 is rejected.

Claims 17 and 28 are substantially similar and parallel the limitations found in claim 6 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

As per claim 7, Ahlstrom and Webber et al. teach that the reservation system may be programmed to stop looking for additional acceptable itineraries once a user-specified number of

Art Unit: 3626

flights are found (see: Ahlstrom: column 5, lines 40-55). DeLorme teaches that geographical coordinates are used to determine itinerary components for users of the travel reservation and planning system (see: column 56, starting at line 15 and further in Figures 2, 4, and 7). One skilled in the art would be motivated to use geographical coordinates to limit the number of returned itinerary components to reduce the database search operations and to make the outputted report manageable and consequential. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use the geographical coordinates of DeLorme as constraints in the number of location sets generated in the system of Ahlstrom and Webber et al. Therefore, claim 7 is rejected.

Likewise with regard to claim 8, Ahlstrom and Webber et al. teach that the reservation system forces the user to modify their selection and/or their preference criteria if their selection of a departure point and arrival point do not generate at least one suitable city pair from which travel may originate and complete (see: Ahlstrom: claims 2 and 25). DeLorme teaches that geographical coordinates are used to determine itinerary components for users of the travel reservation and planning system (see column 56, starting at line 15 and further in Figures 2, 4, and 7). One skilled in the art would be motivated to use geographical coordinates to increase the number of returned itinerary components to produce a search result that may be acceptable to the user. Even if the user's original constraints on travel are too narrow to produce a plausible itinerary on the first pass, a more relaxed constraint may produce an acceptable travel alternative. One skilled in the art would be further motivated to incorporate DeLorme" geographical coordinates as means with which to relax the search criteria to offer more travel options to users and thereby capture a larger percentage of planned travel that would otherwise be missed.

Art Unit: 3626

Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use the geographical coordinates of DeLorme as means of increasing the search range when the number of location sets generated in the system of Ahlstrom and Webber et al. is deemed to be too small. Therefore, claim 8 is rejected.

Claims 18 and 29 are substantially similar and parallel the limitations found in claim 7 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

Claims 19 and 30 are substantially similar and parallel the limitations found in claim 8 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

As per claim 46, Ahlstrom and Webber et al. teaches at the heart of his reservation system a sorting and scoring of travel itineraries in accordance with a predetermined travel policy stored in the computer (see: Ahlstrom: column 1, lines 34-38).

Ahlstrom and Webber et al. fails to teach the claimed the first value further includes a cost of lodging. DeLorme teaches geographical relations that are coupled with "topical relations" and are used to locate alternate lodging choices based upon user preferences such cost and rules based data sorting (see column 56, starting at line 15 and further in Figures 2, 4, and 7).

The motivation for combining the respective teachings of DeLorme with the system of Ahlstrom and Webber et al. are discussed above in the rejection of claim 10, and incorporated here.

As per claim 47, Ahlstrom and Webber et al. teach at the heart of his reservation system a sorting and scoring of travel itineraries in accordance with a predetermined travel policy stored in the computer (see: Ahlstrom: column 1, lines 34-38).

While Ahlstrom and Webber et al. does not explicitly teach a set of alternate itineraries includes at least one alternate itinerary that is associated with a pre-configured travel package based on prior negotiations with at least one provider of travel resources, DeLorme teaches that hotel chains, state tourism bureaus, and local chambers of commerce could publish travel package embodiments for planning trips, printing maps, discount offers, trip directions and other such information about a limited range of attractions, events or seasonal activities (see column 13, lines 48-67). One skilled in the art would be motivated to offer packaged discounts to appeal and market to recreational travelers that do not require a specific destination (such as to conduct business) but rather are planning a vacation and deciding upon a destination from a variety of locales. In this manner, potential travelers may select from a variety of venues based upon price and travel accommodations. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to utilize the package discount feature of DeLorme in the system of Ahlstrom and Webber et al.

As per claim 49, Ahlstrom teaches a method for providing travel alternatives, comprising:
--the claimed receiving, from a user, a request including a travel itinerary including an origination location, a destination location, and a first value associated with the itinerary is met by the user inputting starting location and final destination information and the local computer is connected to a remote computer system that accesses flight scheduling information and fare information (see: column 2, lines 22-36);

--the claimed determining an alternated value for each alternate itinerary is met by the local computer that connects to the remote computer system that access flight scheduling, fare information and limitation information stored in a remote computer system database that ranks,

Art Unit: 3626

sorts and displays the itinerary information suggesting this information includes the values of each flight (see: column 2, lines 28-36).

Ahlstrom teaches a reservation system where itinerary information once sorted and displayed in accordance with the travel policy information, (i.e., the report) the sorted information is displayed for the user and can then be printed. This sorted itinerary information includes the comparison and results of other possible travel itineraries to determining the optimum itinerary, inherently calculating the saving involved with each comparison (see column 2, lines 32-38). Ahlstrom also teaches alternative itineraries being evaluated during the data processing where intermediate travel stops and alternative city pairings are evaluated to determine the optimum itinerary with only the initial inputs from the user in order to gather travel information (see column 2, line 66 to column 3, line 15).

Ahlstrom fails to teach:

--the claimed determining, without user intervention, at least one alternative itinerary including a route between an alternate origination location or alternate destination location, and either the origination or destination location included in the request.

Webber et al. teaches a travel planner system where a travel arranger requests a flight from New York City (NYC) airport to Los Angeles International Airport (LAX) departing no earlier than 8 a.m. and no later than 10 a.m. and arriving no later 3 a.m. (see: column 17, line 38 to column 19, line 47). There are 6 flight displayed to the travel arranger that include departure from two different airports according to price, date and time (see: column 19, lines 33-44 and table).

Art Unit: 3626

The obviousness of including the teaching of Webber et al. within the system taught by Ahlstrom are discussed in the rejection of claim 1, and incorporated herein.

Ahlstrom and Webber et al. fail to teach providing a report including a geographical map that contains:

- the claimed graphical representation of the origination location, destination location, and each alternate location,

- the claimed graphical representation of a first path between the origination and destination locations and a corresponding cost of travel for the first path, and

- the claimed graphical representation of an alternate path between each alternate location and either the origination or destination locations and a corresponding cost of travel for each respective alternate path.

DeLorme teaches the use of geographical ranges with coordinates needed to evaluate alternative travel routes and itineraries (see: column 57, line 1 and Fig. 7A). The routes include different and various routes and accommodations in accordance with user preferences and sorting criteria. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the geographical range of location as taught by DeLorme within system as taught by Ahlstrom and Webber et al. with the motivation to have users specify a range of locations with which to evaluate travel itineraries in an effort to reach an optimum itinerary with respect to price, time required, suitability of accommodations, and other concerns of a traveler.

Art Unit: 3626

As per claim 51, Ahlstrom and Webber et al. teaches at the heart of his reservation system a sorting and scoring of travel itineraries in accordance with a predetermined travel policy stored in the computer (see: Ahlstrom: column 1, lines 34-38).

Ahlstrom and Webber et al. fail to teach the claimed the travel cost for each route is presented adjacent to the graphical representation of the respective route on the map.

DeLorme teaches a map display (152, Fig. 3), which facilitates the topical information, for example, by means of "located" symbols, text or tables indicating price information, which the examiner considers as an addition to the map display (see: column 25, lines 29-35).

The motivation for combining the respective teachings of DeLorme with the system of Ahlstrom and Webber et al. are discussed above in the rejection of claim 7, and incorporated here.

5. Claims 11, 22, 33, 34, 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahlstrom et al. in U.S. Patent Number 4,862,357 (hereafter referred to as "Ahlstrom") and DeLorme, and further in view of Walker et al. in U.S. Patent Number 5,897,620 (hereafter referred to as "Walker").

As per claims 11, 37, and 38, Ahlstrom teaches at the heart of his reservation system is the sorting and scoring of travel itineraries in accordance with a predetermined travel policy stored in the computer (see column 1, lines 34-38). Accordingly, predetermined travel packages that include travel between the originating location and the destination would be found using the sorting and scoring method of Ahlstrom. Ahlstrom teaches the use of a computer reservation system with means to rank travel itineraries by sorting and scoring the data with regard to a predetermined travel policy (see column 1, lines 35-39). The user inputs a starting location and a

Art Unit: 3626

destination (see column 2, line 25). The local computer then connects to the remote computer system that accesses flight scheduling information, fare information, and limitation information stored in a remote computer system database that ranks, sorts, and displays the itinerary information on the local computer (see column 2, lines 28-36). Once the itinerary information is sorted and displayed in accordance with the travel policy information the sorted information (i.e., the report) is displayed for the user and can then be printed (see column 2, lines 32-38).

Alternative itineraries are evaluated during the data processing where intermediate travel stops and alternative city pairings are evaluated to determine the optimum itinerary (see column 2, line 66 to column 3, line 15).

While Ahlstrom does not explicitly teach that travel packages are pre-configured packages based on prior negotiations with travel resource providers, DeLorme teaches that hotel chains, state tourism bureaus, and local chambers of commerce could publish travel package embodiments for planning trips, printing maps, discount offers, trip directions and other such information about a limited range of attractions, events or seasonal activities (see column 13, lines 48-67). One skilled in the art would be motivated to offer packaged discounts to appeal and market to recreational travelers that do not require a specific destination (such as to conduct business) but rather are planning a vacation and deciding upon a destination from a variety of locales. In this manner, potential travelers may select from a variety of venues based upon price and travel accommodations. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to utilize the package discount feature of DeLorme in the system of Ahlstrom.

Art Unit: 3626

Walker teaches a method and apparatus for the sale of flight tickets where the user submits a bid to purchase an unspecified-time ticket for a specific itinerary, and that the traveler is willing to pay \$375 for the ticket (see column 6, lines 45-51). That is, a price-to-beat request is sent to a selected service provider with a value associated with the determined value for the travel itinerary. Further, Walker discloses that the reservation system, after determining that the traveler may be supplied with a ticket conforming to their time and value constraints, prints a ticket for the actual flight with the actual flight number and the departure/arrival times. The airline then transmits the ticket to the traveler (see column 15, lines 3-17). In this fashion, the traveler receives a response from the service provider with information and a value on a travel itinerary. One skilled in the art would be motivated to employ the bid (price-to-beat) request of Walker in the Ahlstrom system for a variety, of reasons. On the supply side, the bid methodology allows travel providers to fill otherwise unoccupied seats on confirmed flights. The bid-winners, although perhaps not paying full fare prices for these available seats, nonetheless contribute to the marginal revenue of the travel provider by occupying an otherwise non-revenue-generating seat. On the demand side, travelers with a degree of flexibility in their travel plans may be able to save significantly on the price of their fare. By incorporating the bid system and method of Walker in the system of Ahlstrom, the reservation system may evaluate travel options that would not have been available if alternative itineraries were limited by too low a cost constraint.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement the bid system of Walker in the combination of Ahlstrom and DeLorme. As such, claim 11 is rejected.

Claims 22, 33, 34, 39-42 are substantially similar and parallel the limitations found in claim 11 in computer readable medium and system (apparatus) formats and are rejected for similar reasons.

Response to Arguments

6. Applicant's arguments filed 8/25/03 have been fully considered but they are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response filed 8/25/03.

(A) In the remarks the Applicant argues in substance that, (1) Ahlstrom does not teach or suggest identifying alternative itineraries that include either an alternative starting location or final destination; (2) Ahlstrom and DeLorme does not teach or suggest identifying at least one alternative itinerary that includes an alternative origin or destination that is different from received in a travel itinerary; (3) Ahlstrom, DeLorme and Walker fail to teach analyzing a travel itinerary to determine a set of alternative itineraries, determining values for the travel itinerary and the alternative itineraries, sending at least one price-to-beat request and receiving responses including a service provider travel itinerary that may be the same, or comparable, to the travel itinerary or an alternative itinerary; and (4) Walker does not teach or suggest that the traveler determines the price the traveler is willing to pay for the ticket based upon a value associated with a requested itinerary and values associated with alternative itineraries; and (5) Walker does not teach or suggest receiving, from service providers, service provider itineraries that may be the same, or comparable, to the requested itinerary or an alternative itinerary.

(B) In response to Applicant's arguments that, (1) Ahlstrom does not teach or suggest identifying alternative itineraries that include either an alternative starting location or final

Art Unit: 3626

destination; (2) Ahlstrom and DeLorme does not teach or suggest identifying at least one alternative itinerary that includes an alternative origin or destination that is different from received in a travel itinerary; (3) Ahlstrom, DeLorme and Walker fail to teach analyzing a travel itinerary to determine a set of alternative itineraries, determining values for the travel itinerary and the alternative itineraries, sending at least one price-to-beat request and receiving responses including a service provider travel itinerary that may be the same, or comparable, to the travel itinerary or an alternative itinerary; and (5) Walker does not teach or suggest receiving, from service providers, service provider itineraries that may be the same, or comparable, to the requested itinerary or an alternative itinerary. The Examiner respectfully submits that arguments with regards to added features of identifying at least one alternative itinerary that includes an alternative origin or destination that is different from received in a travel itinerary and receiving, from service providers, service provider itineraries that may be the same, or comparable, to the requested itinerary or an alternative itinerary are moot since prior art has applied to the newly added features. The reference of Webber teaches a travel planner system where a travel arranger requests a flight from New York City (NYC) airport to Los Angeles International Airport (LAX) departing no earlier than 8 a.m. and no later than 10 a.m. and arriving no later 3 a.m. (see: column 17, line 38 to column 19, line 47). As result there are 6 flights displayed to the travel arranger including departure from two different airports according to price, date and time (see: column 19, lines 33-44 and table). As such, Applicant's remarks with regard to the application of Ahlstrom, DeLorme and/or Walker to the amended claims are addressed in the above Office Action.

Art Unit: 3626

(C) In response to Applicant's argument that, (4) Walker does not teach or suggest that the traveler determines the price the traveler is willing to pay for the ticket based upon a value associated with a requested itinerary and values associated with alternative itineraries. The Examiner respectfully submit that Walker teaches a method and apparatus for the sale of flight tickets where the user submits a bid to purchase an unspecified-time ticket for a specific itinerary, and that the traveler is willing to pay \$375 for the ticket (see column 6, lines 45-51). That is, a price-to-beat request is sent to a selected service provider with a value associated with the determined value for the travel itinerary. Further, Walker discloses that the reservation system, after determining that the traveler may be supplied with a ticket conforming to their time and value constraints, prints a ticket for the actual flight with the actual flight number and the departure/arrival times. The airline then transmits the ticket to the traveler (see column 15, lines 3-17). This clearly shows that a traveler determines the date and price for a ticket, and this request is submitted to participating airlines according to restriction set forth by the traveler. Once a participating airline accepts the request by the traveler a ticket is transmitted to the traveler.

Conclusion

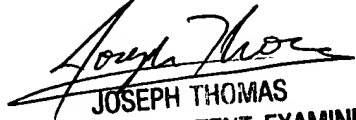
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is (703) 605-4441. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (703) 305-9588. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Art Unit: 3626

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

RWM
rwm


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600